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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.2098 of 2017

1.Ananda Info Systems
2.K.Kandalingam

... Petitioners

Vs

M.Murugan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for records and to set aside the dismissal order passed by the learned Fast Track Judicial Magistrate No.1, Madurai in Crl.M.P.No.7508 in S.T.C.No.857 of 2012, dated 29.11.2016, further to allow the petitioner / accused to re-open and recall the prosecution witness No.I, for cross examination, for proper appreciation of evidence.

For Petitioners : Mr.R.Babu Jaganath

O R D E R

This petition has been filed challenging the order passed by the Court below dismissing the application filed under Section 311 of Cr.P.C

2.It is seen from the records that the petitioner had already been cross examined P.W.1. The case is of the year 2012 and a recall petition was filed in the year 2016. The Court below has rightly exercised its discretion under Section 311 Cr.P.C and there is no ground to interfere with the order of the Court below.



3.The Court below is directed to dispose of the S.T.C.No.857 of 2012 within a period of one month from the date of receipt of a copy of this order. Accordingly, this criminal original petition is disposed of with the above direction.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Fast Track Judicial Magistrate No.1, Madurai.

CRL.O.P.(MD)No.2098 of 2017
19.09.2018

RMI

AK(DS)/SKN/SAR3/16.10.2018/2P-2C